

# Ruling is expected by Wednesday on pension for sheriffs, police chiefs

**By Jerry Spangler**  
Deseret News staff writer

A 3rd District judge is expected to rule before Wednesday on a civil suit against the Utah State Retirement Board filed by 21 Utah sheriffs and police chiefs who are trying to keep a retirement benefit that allows them to collect pensions while still employed.

Judge Jay E. Banks heard arguments from attorneys on both sides about the controversial retirement benefit — a benefit which is scheduled to be terminated Wednesday.

The suit, filed a few weeks ago, is based on a 1983 amendment to the state retirement law that allows sheriffs and police chiefs to exempt themselves from the state retirement system, keep their jobs and collect their pensions. Lawmen from around the state exempted themselves and began receiving pension payments.

In 1985, the Legislature again amended the law,

this time requiring the lawmen to quit their jobs in order to continue receiving payments, or to stay in their jobs and stop receiving pension payments until they officially retired. The lawmen filed suit, claiming the state breached its contract with them by trying to change a contract and applying the change retroactively.

Attorneys for the state retirement board claim the practice of "double dipping" was not the intent of the 1983 amendment and that when legislators saw their intent being misconstrued, a corrected law was passed in 1985.

Gordon Roberts, attorney for the plaintiffs, argued that the state had a contract with each of the lawmen who opted to leave the retirement program, and that passing a new law does not alter an existing contract.

"There is nothing in the contract at that time to say they had to leave their employment in order to receive benefits," said Roberts. "They (legislators) are adding a new term to the contract and you can't

do that. Where you work or if you work were not part of the 1983 contract."

Mark Madsen, attorney for the defendants, argued that there was no contract because both sides were not in agreement as to the intent of the contract. He also noted there is no case law in the United States in which a person can retire from a job, collect his pension and keep working at the same job.

Madsen said the intent of lawmakers was to make a provision in the retirement program for second-level lawmen from larger jurisdictions along the Wasatch Front who wanted to become police chiefs and sheriffs in smaller jurisdictions.

By exempting those officers from the retirement program, they would not be penalized under the program for taking a lower paying job with a smaller department. When they retired from the smaller department, they could collect a pension based on their larger salary when they worked for the larger department.



# **What Does It Take to Make Us Use Seat Belts?**

*12-12-85*

Twice told tales that become thrice told tales all have one thing in common in the fact that with each telling we become more calloused to the point that the teller is trying to make. With the distinct possibility of falling into this category please bare with me for my tale.

Seat belts, we all have them but few of us use them until. . . . Until we are unfortunate enough to experience a wreck in an automobile that makes us believers in the power of the seat belts.

How many people do you know who have been through a wreck and are now patrons of the seat belt? It might just be that they are trying to tell us something by example.

One other rather sobering thought is a comment that was made to me by a Utah Highway Officer at the scene of a fatal accident. His comment, "I've never had to unbuckle a dead body out of a car." There must be a message there.

Please join us for the New Year by buckling up this year.



# Reserve Deputies and Search and Rescue Vital

23 July 1986

"We could not exist at certain times, with the men we have and the area we have to cover, without the Auxilliary Sheriff's Deputies and the Search and Rescue Volunteers," said Wasatch County Sheriff Mike Spanos.

The sheriff's department must patrol and answer calls over 1,203 square miles, including dirt roads, mountains and parks. He has six paid deputies, enough to serve the county's 10,000 residents. However, during the summer tourists double that on weekdays and on weekends there are 30,000 to 50,000 people in the county.

Sheriff Spanos said although the six deputies' salaries are paid by 10,000 residents they also serve the Wasatch Front visitors and other tourists. He prioritizes calls but there are times when one deputy must answer calls from one end of the county to the other. It's not only difficult, it leaves the main population area unpatrolled. His department must also guard prisoners, serve civil papers and attend court sessions.

Since the county doesn't have enough money to add paid deputies, Sheriff Spanos has organized the reserves. The fully-trained and certified reserve officers have full police powers when on duty and are given special assignments, put on standby when there is only one regular officer on call, assist

in surveillance and crowd control, and ride with regular deputies to reduce risk. Because of their contributions, response time to calls is significantly reduced.

They must qualify to carry firearms and serve the same as regular deputies in every way. they are even subject to the same discipline. But they don't receive any compensation, even for uniforms.

During the summer, the nine reserve deputies work a total of about 80 hours a week, equal to the work of two regular deputies. During holidays and especially busy times, like Fair Days, their total is 200 to 300 hours per week.

Sheriff Spanos said 75% of calls are drug-related and he is zeroing in on anti-drug education of both adults and young people. Reserve officers have contributed to the program by covering the department while regular officers are conducting classes or are on other related assignments.

"They do a tremendous service for the citizens in Wasatch County. I don't think anyone realizes the benefits because everything is just getting done." He said they do it because they like serving their community in that capacity, and some have shown interest in making a career out of it. The sheriff's policy is to consider reserve officers before looking elsewhere when there is an opening.

The 19 Search and Rescue volunteers existed before Spanos became sheriff, but he makes full use of them and praises them highly. The county furnishes a few pieces of equipment, but other than that the men pay their own expenses, including vehicles, gas, horses, motorcycles, snowmobiles and other rescue devices.

They meet at least once a month to update and increase their training in both winter and summer rescue techniques which they are called upon to use at least once a week. They are assigned the "attempt to locate" calls which allows enforcement officers to continue to patrol the community.

Many are trained divers and proficient in lake searches. They have a boat and sonar which they sometimes loan to other counties which reciprocate with men when they are needed in Wasatch County.

Sheriff Spanos pointed out that when people gather in one place for special events, like parades, rodeos and stake conferences, their neighborhoods are prime targets for robberies. Long power outages are also invitations to criminals. He says, "During times like those, the whole bunch (reserve deputies and search and rescue volunteers) will patrol the area."

# Wasatch County

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## County will

### patrol Midway

MIDWAY, Wasatch County — Midway City, has been included in the Wasatch County Sheriff's jurisdiction since the first of the year and Mayor Gene Probst says he is extremely pleased with the arrangement.

The city's single police officer until then, Edd Thacker, resigned when he became sheriff. Rather than hire another officer, Probst requested the city be policed by the sheriff's department under a contract agreement.

He said, "We're actually getting more hours of coverage than we were with a single man. They're making the rounds. And we've a lot better dog control."

The city has provided office space in the new city hall where deputies can do their paperwork rather than having to travel to the sheriff's office in the county building. Thacker said that has proven to be a time-saving convenience.

Thacker met with the Midway City Council recently to present a report of the deputies' work in the city, discuss the successes and identify improvements that could be incorporated. Probst said his only request was for a little more visibility and that they make more use of radar equipment.



# Local Officer Solves Mystery

28 July 1987

A Heber City dog control officer solved a Florida/Texas mystery last week.

Officer Dan Clark sometimes takes over the Heber City Police Department's phone when the secretary is away from her desk. It isn't very exciting so he mulls over flyers that arrive from across the country which include photos and drawings of missing people.

On July 16, while he tended the phone, he was examining the flyers and was struck by the resemblance between a drawing of an unidentified girl found dead in Texas and a photograph on a separate flyer of a girl missing in Florida. As he compared more closely, he could see a small mole on the forehead of both pictures.

He also noted that the Florida girl was reported missing two months before the dead girl was found in Texas, and that it was reasonable for someone traveling from Florida to pass through Texas.

He notified Texas authorities of his finding and, as a result, the identity was confirmed. The name of the victim hasn't yet been released.

He said there are many flyers from many agencies with no way to screen them. But a dog catcher in Heber City, Utah is trying to get the job done.

# Police Chief Reports to Council, Presents Award

200 Apr 1988

One Heber City police officer has completed training qualifying him as a narcotics specialist, the department secretary has completed a course in emergency dispatching, and Chief Jimmy Joel Matthews completed 112 hours of training sessions for executives, the chief reported to the Heber City Council last week.

Chief Matthews said, "Officer Huggard has been a personal counselor and advisor to me, since I've been here, and I've depended on him. I'm very proud of him personally and professionally."

Councilman Wayne Clegg, who oversees the police department, praised Officer Huggard for his community service and efforts to educate the community on narcotics and alcohol problems.

Officer Huggard thanked the council for their support and his wife, Marlana for putting up with the lonely nights while he is working in the field.

Chief Matthews said the secretary, Bobbie Brown, sometimes has to handle emergency calls, even though most emergencies are handled and dispatched through the sheriff's office. Therefore, he expressed appreciation to her for completing dispatch school.

The council approved Chief Matthew's request to allow the reserve officers to organize some fund-raisers to finance training and to purchase and upgrade equipment. The money would also be used for bicycle rodeos and other community projects. He said the officers plan to sponsor a Policeman's Ball, and are considering some other events, i.e.

a truck-pulling contest, to raise \$500.

He pointed out that reserve officers only receive uniform allowances and the radios they use were once used by the regular officers.

The council also approved the chief's proposal to charge insurance investigators \$20 to interview officers in connection with accidents and other police matters. He said the investigators are making money but have been using city time for the interviews and that it is standard procedure in many law enforcement agencies to charge similar fees.

The chief further requested approval for officers to participate in the Star Team which responds to incidents outside the Heber City limits, like narcotics operations. "This is a special, organized type of thing. Star Team officers have additional training and have to be in better-than-average physical condition. They do a lot of extra things," he explained.

Councilman Clegg assured the council that when an officer is called to respond outside the city, another officer will cover his city responsibilities, even if it requires volunteer time by the officers.

The council didn't formally approve the request but Mayor Gordon Mendenhall said the police department had the council's blessings.

The chief reported that Heber City officers are called upon to answer calls in Wasatch County jurisdiction and that county deputies reciprocate by providing backup when city officers need it.



# Wasatch STAR Team Efficiently Defuses Potential Hostage Situation

26 Oct 1988  
Wasatch County's Special Tactics and Response (STAR) team answered a call to a possible hostage situation in Heber City shortly after midnight last Saturday morning. They arrested the suspect within less than an hour, without waking up two children sleeping nearby.

The STAR Team's report stated that a Heber City woman contacted a Heber City Police Officer and told him that her husband, from whom she was legally separated, had forced his way into her home. She told him he "choked" her following an argument. She reported that he would not let her get to her two children, sleeping in the home, then forced her out of the home and locked the door.

To protect the safety of the children, the STAR Team volunteered to enter the dwelling and secure the suspect for the Heber City Police Department. According to the report, seven Team Warrant

Officers were called and told to report to the Wasatch County Hospital where they would receive an operation order. A detailed plan was quickly drawn up, so that each officer would know exactly what he was to do.

The plan stated that one Heber City Police officer would "approach the apartment and knock on the front door. When the suspect opens the door, the officer...will step back and let the front unit of the team enter the dwelling and take positive control of the suspect."

According to plan, the suspect was apprehended less than a minute after entry into the apartment. Shortly afterward the two children were found "safe in their beds, asleep."

The total operation took only 54 minutes. The STAR team, plus additional officers, "merged together with a total force of 11 men and quietly defused a potentially

Continued on Page 3A



# Marijuana Stash, Cabin Seized in County

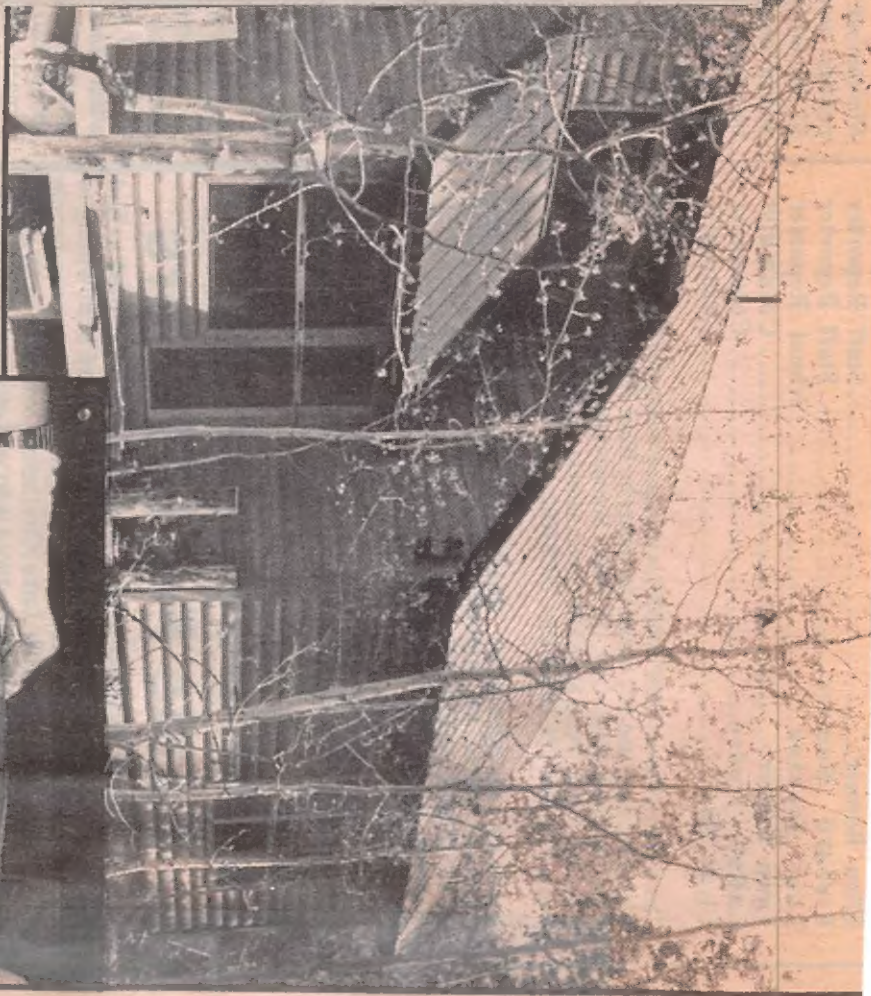
17 May 1991

Some 38 pounds of high grade marijuana, worth more than \$50,000 on the street, was confiscated from a cabin in Wasatch County last Thursday afternoon, by Wasatch deputies and Provo City undercover police officers. No one was in the cabin at the time but charges are pending against two men, one of whom is presently being held in Utah County on other charges.

The Provo officers said the house was a distribution point that supplied Utah County and probably Wasatch County. They said the seizure concluded an undercover investigation that began last October and has resulted in 35 arrests so far. Sheriff Edd Thacker said the marijuana probably came from Mexico by way of San Diego and Las Vegas.

The Provo Police Department requested Wasatch County's assistance in serving a no-knock search warrant. Specially trained volunteer Wasatch Star Team officers entered and secured the cabin, in Timberlakes Estates, southeast of Heber City, at about 3 p.m. A total of 14 officers searched the house and found two five-foot safes, one of which contained the marijuana, as well as guns and ammunition, plastic bags, scales, and other items. However, no cash was found.

Wendy Hufnagel, representing the State Attorney General's Office, was called to oversee the seizure. Wasatch deputies also seized the log cabin, built during the past year, the furnishings, snowmobiles, and motorcycles on Friday. All the real and personal property, worth an estimated \$70,000 will become the property of the County and sold. The proceeds will be used for law enforcement, Thacker reported.



## Raid Nets Marijuana

This cabin became the property of Wasatch County last week when deputies and Provo undercover officers seized a cache of marijuana they found inside. This 13-pound bag of compacted marijuana (insert) was one of two locked in a safe.





## Commissioners reviewing need for 5 four-wheel-drive vehicles

4-9-89  
By SONNI SCHWINN  
Heber City Correspondent

HEBER CITY — The company that won the bid to provide five four-wheel-drive vehicles for the Wasatch County Sheriff's Department, Center Farm

Service, notified the County Commission that it could not provide the vehicles according to its bid.

The bid was for \$98,000, minus \$37,375 trade-in, for a final low bid of \$60,625.

Rather than accepting the next lowest bid, the commissioners said there had been a misunderstanding anyway and decided to review the budget and the needs of the sheriff's office in more detail. Commis-

sioner Pete Coleman said it had been his understanding that Sheriff Edd Thacker was going to investigate the possibility of buying only four four-wheel-drive vehicles and one small car, rather than five four-by-

fours. One small car, used by the detective, is already part of the fleet.

The commission also tabled Thacker's request for a budget increase that would allow one deputy to be promoted to ser-

geant.

Coleman said he thought four four-wheel-drive vehicles would be all the sheriff's office would need at any given time. He recommended using a smaller car.

## Police confiscate 38 pounds of marijuana

5-12-89  
WASATCH COUNTY — About 38 pounds of high grade marijuana worth more than \$50,000 on the street was confiscated in a Wasatch County house by a Provo undercover policeman and the Wasatch County Sheriff's Department Thursday afternoon.

No one was in the house at the time but charges are pending against two men, one of whom is presently being held

on other charges. The Provo officers said the house was a distribution point that supplied Utah County and probably Wasatch County.

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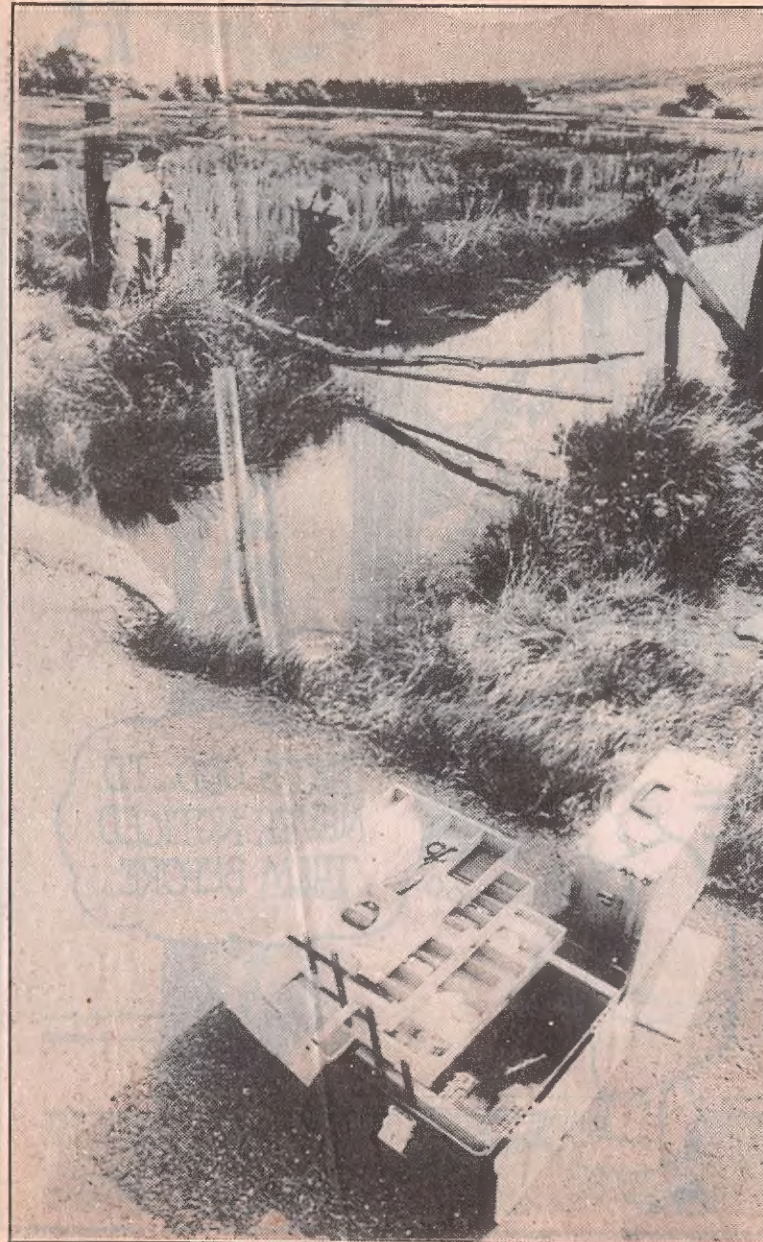
tribution items.

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Wasatch County deputies also seized the house, furniture and two snowmobiles today, which will become the property of the county, Thacker reported. He said as far as he can tell there were no liens on the log house, which was worth about \$50,000.





AP Laserphoto

Salt Lake police search along an irrigation ditch where the body of an unidentified woman was found Tuesday.

## Murders may be related to drugs

SALT LAKE CITY (AP) — Wasatch County, officials said.

The execution-style slaying of a Salt Lake area man near Heber may be connected to another homicide and recent kidnappings and may be drug-related, investigators said.

The slaying of an unidentified woman whose body was found Tuesday in an irrigation ditch near Salt Lake City International Airport was being investigated in connection with the Wasatch County murder.

And a Salt Lake City police detective said the slaying of Anthony L. Chavez, 40, whose body was found near Heber City Sunday, and the report of an abduction of a man and his 9-year-old son in Salt Lake City were possibly related.

According to a police report, a Salt Lake City man and his 9-year-old son were abducted at 9:49 p.m. Thursday by a man and woman with a small handgun. Both were found uninjured the next day at a relative's home and interviewed by detectives.

The father and son were taken to the mountains by the abductors, were questioned about the father's girl-

A special meeting was called Tuesday to coordinate investigations between Wasatch County, Salt Lake City, Salt Lake County and Midvale authorities. But the Salt Lake area investigators were left with many questions, Salt Lake County Sheriff Pete Hayward said, because two Wasatch County officials left the meeting early.

"We were trying to get this all ironed out and it fell apart on us," Hayward said of the meeting.

Wasatch County Sheriff Edd Thacker refused to take calls from the press Tuesday.

A second victim found in Wasatch County Sunday morning, Lino Collato, 30, Guadalajara, Mexico, remained in critical condition at a Salt Lake area hospital. He suffered numerous stab wounds and was shot once. He is under armed guard for protection.

Authorities believe Collato was left for dead with Chavez. Investigators hope he can provide information on his assailant when he recovers.

Salt Lake area investiga-

friend and were tied to a tree, the report said. They managed to escape after the suspects left.

The report said a witness the victim's girlfriend "had ripped off some drugs and/or money from a drug dealer and had fled."

The investigation by Salt Lake area authorities is being hampered because they are having difficulty obtaining information from

tors have taken two vehicles into evidence. A late-model Firebird may be connected to the Chavez slaying, Hayward said. A van, found in Midvale, is believed to be the vehicle used in a kidnapping connected with Chavez and Collato.

The body of a 25- to 30-year-old woman found by joggers Tuesday had been in an irrigation ditch near the airport about 48 hours.



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## Search and Rescue News

*former Sheriff's Posse*

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After lunch, Howard Lewis discussed S&R management and the psychology of leadership. Cory Child later covered the development of the SOP (Standard Operating Procedures) and the importance of pre-planning and how to do it. Finally, Doug Hansen went over several items, including map and compass and altimeters and the use of computers in estimating the probability of locating a lost victim in any certain area.

On the 17th, S&R members

will be taking time off of work to help locate the body of an early summer drowning victim in Deer Creek Reservoir; then on the 18th, they will be doing traffic control at the snowmobile races for a fundraiser.

This winter, several members are planning to take 20 hours of training in first aid in a first responders course connected with the EMT training program. Summer has been busy; however, it looks like winter will be just as busy for the S&R membership.



# Law officers sift clues in Heber slaying, seek stab victim's identity

By Brent Israelson  
Deseret News staff writer

6-1-89

The Wasatch County sheriff's office held a special meeting Wednesday night with several Salt Lake County law enforcement agencies to sort out evidence in a complicated execution-style homicide that occurred near Heber City, but has its origins in the Salt Lake area.

Meanwhile, Salt Lake police have solicited the FBI for help in identifying the woman whose body was found in an irrigation ditch Tuesday morning — a homicide they are only assuming is related to the Wasatch County case.

The woman had been stabbed in the back multiple times and had been lying in a ditch near 2300 N. 22nd West for about two days, said police Lt. Norm Thompson.

All efforts to identify the woman have failed so police have sent the woman's fingerprints to the FBI.

Thompson said detectives have not ruled out the possibility that the woman's death is linked to the shooting death of Anthony J. Chavez, 44, whose body was found Sunday morning on alternate U.S. 189 east of Hailstone Junction in Wasatch County. Chavez, hands bound behind his back, had been shot at least twice in the head.

Lino Collato, 30, was found lying about 100 yards from Chavez's body with serious stab and gunshot wounds. Collato remained in critical

but stable condition in University Hospital Thursday.

Police still haven't interviewed Collato, who remains heavily sedated and incommunicado.

Some investigators are also looking into a case where three people took three women in a van to Utah County, where two of the women were released after having a gun drawn on them. Investigators are unsure what became of the third woman. The van was recovered in Midvale on Tuesday.

The van is registered to a woman who is a friend of a Salt Lake woman who, according to witnesses, stole a large quantity of drugs and money from a local drug dealer.

Investigators are also checking out the kidnapping May 25 of a Salt Lake man and his young son in connection with the Chavez/Collato case.

The abductors took the man and boy to Daniel's Canyon in Wasatch County, where they were tied to a tree. The abductors eventually fled, and the kidnap victims loosed themselves and returned to a relative's home unharmed.

Daniel's Canyon is about 20 miles from where Chavez and Collato were found Sunday.

Salt Lake police have also impounded the car of an acquaintance of Chavez but have been unable to tie it in to any of the incidents, Thompson said.

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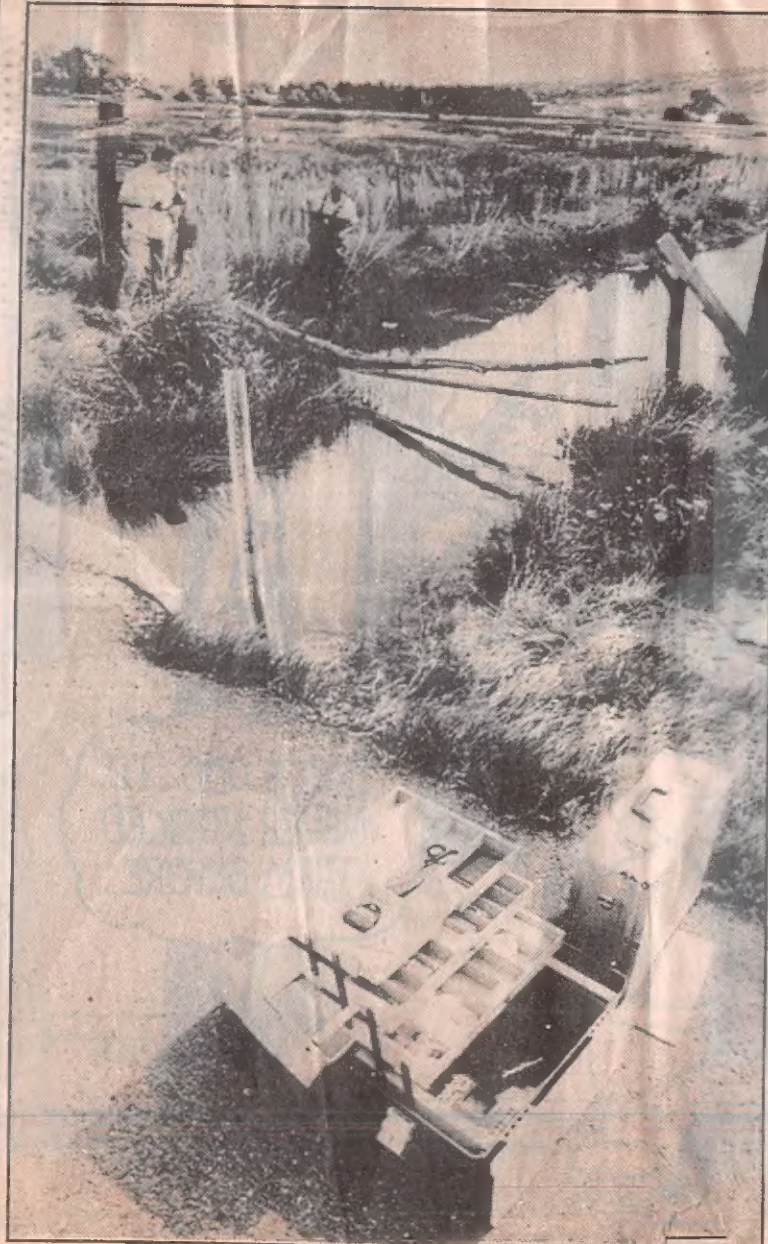
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